

TENTATIVE RULINGS for CIVIL LAW and MOTION
December 31, 2009

Pursuant to Yolo County Local Rules, the following tentative rulings will become the order of the court unless, by 4:00 p.m. on the court day before the hearing, a party requests a hearing and notifies other counsel of the hearing. To request a hearing, you must contact the clerk of the department where the hearing is to be held. Copies of the tentative rulings will be posted at the entrance to the courtroom and on the Yolo Courts Website, at www.yolo.courts.ca.gov. If you are scheduled to appear and there is no tentative ruling in your case, you should appear as scheduled.

Telephone number for the clerk in Department 9: (530) 406-6777

TENTATIVE RULING

Case: **Fonseca v. IndyMac Bank, F.S.B. et seq.**
Case No. CV CV 09-3182

Hearing Date: **December 31, 2009** **Department Nine** **9:00 a.m.**

Plaintiff's unopposed motion for preliminary injunction is **GRANTED**. Plaintiff has submitted sufficient evidence that he will likely prevail on the merits and that he will suffer irreparable harm if the preliminary injunction is not issued. (Code Civ. Proc., §§ 526 et seq.; *Butt v. State of California* (1992) 4 Cal.4th 668, 677-678; *Demast v. Quick Loan Fund, Inc.* (2009) 2009 WL 940377; Dec. of Jaime C. Fonseca, ¶¶ 1-17.)

The undertaking is **WAIVED**. The court has discretion to waive the bond requirement if it finds the plaintiff is indigent and unable to obtain sufficient sureties. (Code Civ. Proc., §§ 526 et seq. & 995.240; Dec. of Jaime C. Fonseca, ¶¶ 5-9.)

If no hearing is requested, this tentative ruling is effective immediately. Plaintiff shall prepare the proposed order and serve it on Defendants by 4:00 p.m. on December 31, 2009.